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09/475,696	12/30/1999	DARRYL L. DEFRESE	A-6307	6730

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SCIENTIFIC-ATLANTA, INC.  
INTELLECTUAL PROPERTY DEPARTMENT  
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EXAMINER

PICH, PONNOREAY

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 02/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/475,696	<b>Applicant(s)</b> DEFREESE ET AL.	
	<b>Examiner</b> Ponnoreay Pich	<b>Art Unit</b> 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 65, 66 and 68-84 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 65-66 and 68-84 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Claims 65-66 and 68-84 are pending. Claim 72 was amended. Any objections or rejections not repeated below for record are withdrawn due to applicant's amendments and/or arguments.

#### ***Response to Arguments***

Applicant's arguments filed 11/16/2005 have been fully considered but they are not persuasive.

Applicant argues as per claim 72 that the limiting "associating services with entitlement unit numbers" is not inherent to Wasilewski's teachings. The examiner respectfully disagrees. Applicant's states that the specification discloses an entitlement unit as a package of bundled services. Applicant then states that therefore an entitlement unit number "may be a number that identifies a particular bundle". However, the examiner respectfully notes that nowhere in the specification is the term "entitlement unit number" explicitly defined. It *may* be a number that identifies a particular bundle, but it could just as easily be a number that identifies which terminal is authorized to receive services associated with the bundle or a number that authorizes a terminal to receive the bundle of services. As the term was not explicitly defined, the examiner respectfully submits that the definition of "entitlement unit number" is broader than applicant is arguing. In particular, the examiner notes pages 5-6 of applicant's specification, where an entitlement unit number is described as being included in EMM and ECM. The specification then discloses on lines 13-15 of page 6 that the entitlement unit number from the decryptor was compared with the entitlement unit number in

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memory and if there was a match, service may be received. From this disclosure, it appears that the other two definitions the examiner used above when examining the claims are also valid for what an entitlement unit number is especially since applicant never defined the term explicitly. Wasilewski discloses several numbers in his invention which read on entitlement unit numbers. The PID of each program packet reads on an entitlement unit number because they identify which service each packet is for; thus in numbering the packets with the PID, Wasilewski associates services with entitlement unit numbers (Fig 3A). The PID of the EMM and ECM also reads on entitlement unit numbers because EMM's and ECM's with certain PID's are used to decrypt and descramble program packets (col 14, lines 62-68 and col 15, lines 21-29). Without the EMM's and ECM's and the information they contain a service is not useable, thus the EMM's and ECM's having PID's reads on "associates services with entitlement unit numbers". These are just two examples in which the limitation is inherent to Wasilewski though he never uses the term "entitlement unit number". The limitation is inherent to Wasilewski because the limitation as recited is too broad considering applicant never explicitly defined "entitlement unit number" in the specification.

Applicant argues as per claim 79 that Wasilewski does not teach receiving an authorized entitlement unit number. As discussed above, "entitlement unit number" is broader than applicant is arguing. Figure 3B and Figure 6 of Wasilewski shows that a transport stream consists of a program payload with its PID, EMM's and ECM's, and the PID's of the EMM's and ECM's. As discussed for claim 72, the PID's read on

entitlement unit numbers and Figure 6 shows the transport stream being received, thus the entitlement unit number is received.

Applicant argues Bestler and Wasilewski do not teach receiving a stream of packets, the stream of packets including packets comprising the first service and entitlement control (ECMs) for the first service. The examiner respectfully disagrees. This limitation was rejected using the combination teaching of Bestler and Wasilewski and applicant has not presented any arguments to point out where the examiner's rejection is incorrect. Applicant then states that even if Bestler discloses an analog cable system with a message packet inserted in the vertical blanking interval of the program signals, there is no teaching of a stream of packets comprising a service and ECMs of the service. As stated, the limitation of receiving a stream of packets, the stream of packets including packets comprising the first service and entitlement control (ECMs) for the first service was rejected using the combination teaching of Bestler and Wasilewski. Applicant is reminded that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant argues the combination of Bestler and Wasilewski is improper because the combination of the systems would result in a dual mode analog/digital cable system for which no motivation is found in either reference. The fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would

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otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985). The examiner did not state that the motivation to combine the two references was to make a dual mode analog/digital cable system, but even if the combination did so, the examiner respectfully does not see how that would make the combination of references improper. The examiner notes that in the technological arts, hybrid systems are often created wherein newer technologies backwards compatible with older technologies since there are instances where the older technologies are still used, i.e. dvd players that also plays vhs tapes. Motivation can also come from knowledge of one of ordinary skill in the art, but in any case, the point is moot since creating a hybrid system was not the motivation the examiner cited for combining Bestler and Wasilewski's teachings.

Regarding claims 75 and 76, applicant states that the office action has include a conclusion that "at the time the applicant's invention was made, decoders/terminals with multiple smart cards were know" and does not offer any additional evidence of this well know art statement. The examiner respectfully disagrees. The office action stated that it was Chaney which disclosed this well known art statement (col 2, lines 60-67). The evidence is the Chaney art.

Applicant's other arguments are towards dependent claims being allowable because independent claims are allowable. As applicant's arguments for the independent claims are traversed, applicant's arguments for the dependent claims are moot.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 72-74 and 79-81 are rejected under 35 U.S.C. 102(b) as being anticipated by Wasilewski (US 5,420,866).

**Claim 72:**

Wasilewski discloses a method of providing a terminal in a conditional access system with service, the method comprising the steps of:

1. Providing the terminal with an electronic program guide that associates universal service identification numbers to services (col 10, lines 13-28).
2. Providing the terminal with an entitlement unit table that translates universal service identification numbers to entitlement unit numbers (col 12, lines 18-26).

Wasilewski does not explicitly disclose associating services with entitlement unit numbers and providing the terminal with an authorized entitlement unit number, wherein responsive to a user selecting a given service, the terminal determines whether the terminal is authorized to access the given service using the electronic program guide, the entitlement unit table, and the authorized entitlement unit number.

However, Wasilewski discloses decoder specific EMMs (i.e. entitlement unit numbers) are inserted into packets for transmission to the decoders/terminal (col 11, lines 43-48). Wasilewski also discloses that EMMs are used to provide decoder specific conditional access information to decoders for controlling authorizations to different programs (col 14, lines 62-65). Further, Wasilewski discloses a user selecting a program or service and checking to see if a transmitted stream contains an EMM addressed to a specific decoder which authorizes the decoder to retrieve, decode, and output the program selected by the user (col 14, line 58-col 15, line 6). In light of these teachings, the limitations of associating services with entitlement unit numbers and providing the terminal with an authorized entitlement unit number, wherein responsive to a user selecting a given service, the terminal determines whether the terminal is authorized to access the given service using the electronic program guide, the entitlement unit table, and the authorized entitlement unit number are inherent to Wasilewski's method.

**Claim 73:**

Wasilewski further discloses wherein the authorized entitlement unit number is provided to the terminal in an entitlement management message (col 14, lines 62-65).

**Claim 74:**

Wasilewski does not explicitly disclose wherein a given entitlement unit number is associated with a plurality of services. However, Wasilewski discloses that EMMs are used to control access to different programs or tiers of program (col 4, lines 55-66). Since the EMMs disclosed by Wasilewski reads on entitlement unit numbers it is



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inherent that the EMMs are associated with a plurality of services since it can also be used to control access to tiers of programs—tiers implying multiple programming services on each tier (i.e. Basic cable, Basic with HBO, Basic with HBO and HBO2, ect.).

**Claim 79:**

Wasilewski discloses a method of providing a service to a terminal in a conditional access system, the method implemented at the terminal and comprising the steps of:

1. Receiving an electronic program guide that associates universal service identification numbers to services (col 10, lines 13-28).
2. Receiving an entitlement unit table that translates universal service identification numbers to entitlement unit numbers (col 12, lines 18-26).
3. Receiving an authorized entitlement unit number (col 14, lines 58-61).

Wasilewski does not explicitly disclose receiving user input for a given service and determining whether the terminal is authorized to access the given service using the electronic program guide, the entitlement unit table, and the authorized entitlement unit number.

However, Wasilewski discloses decoder specific EMMs (i.e. entitlement unit numbers) are inserted into packets for transmission to the decoders/terminal (col 11, lines 43-48). Wasilewski also discloses that EMMs are used to provide decoder specific conditional access information to decoders for controlling authorizations to different

programs (col 14, lines 62-65). Further, Wasilewski discloses a user selecting a program or service and checking to see if a transmitted stream contains an EMM addressed to a specific decoder which authorizes the decoder to retrieve, decode, and output the program selected by the user (col 14, line 58-col 15, line 6). In light of these teachings, the limitations of receiving user input for a given service and determining whether the terminal is authorized to access the given service using the electronic program guide, the entitlement unit table, and the authorized entitlement unit number are inherent to Wasilewski's method.

**Claim 80:**

Wasilewski further discloses wherein the authorized entitlement unit number is provided to the terminal in an entitlement management message (col 14, lines 62-65).

**Claim 81:**

Wasilewski does not explicitly disclose storing the authorized entitlement unit number in a memory. However, if this number was not stored in a memory somewhere, then the terminal/decoder disclosed by Wasilewski would have nothing to use for comparison to determine if the terminal/decoder is authorized for that service.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 65-66 and 68-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler et al (US 5,231,664) in view of Wasilewski (US 5,420,866).

**Claim 65:**

Bestler discloses a method of providing a first service in a conditional access system (col 5, lines 64-68), the method implemented in a terminal (Fig 1, item 40) and comprising the steps of:

1. Receiving a stream of packets, the stream of packets including packets comprising the first service (col 5, lines 45-54 and col 7, lines 50-52).
2. Determining a first entitlement unit number for the first service (col 5, lines 60-68 and col 8, lines 23-28).
3. Determining whether the terminal is authorized to access the first service based upon the first entitlement unit number and authorized entitlement unit number that is stored in the memory of the terminal (col 8, lines 23-36).
4. Responsive to determining the terminal is not authorized, displaying a second service that is different from the first service (col 8, line 60-col 9, line 4).

Bestler does not explicitly disclose the stream of packets comprising also entitlement control messages (ECMs) for the first service. However, Wasilewski discloses that it was known at the time the applicant's invention was made for streams of packets to also comprise ECMs for a service (col 4, lines 7-12).

In light of Wasilewski's teachings, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify Bestler's method according to the limitations recited in claim 65. One of ordinary skill would have been motivated to incorporate Wasilewski's teachings as it would have allowed for a conditional access system which could decode MPEG-2 packets and Wasilewski discloses that the MPEG-2 Systems Committee decided that encryption related information would be transmitted to decoders in the form of ECMs (col 4, lines 7-12).

**Claim 66:**

Bestler does not disclose wherein responsive to determining the terminal is authorize to access the first service further including the steps of:

1. Parsing ECMs for the first service from the stream of packets, wherein each ECM includes a second entitlement unit number that is carried in the payload of the ECM.
2. Confirming that the terminal is authorized to access the first service based upon the second entitlement unit number and the authorized entitlement unit number.
3. Responsive to confirming that the terminal is authorized further include the steps of:
  - a. Recovering control words from the received ECMs.
  - b. Decrypting the service using the recovered control words.
  - c. Displaying the first service.

However, Wasilewski discloses wherein responsive to determining the terminal is authorize to access the first service further including parsing ECMs for the first service from the stream of packets (col 4, lines 44-50 and col 5, lines 58-62). Wasilewski does not disclose wherein each ECM includes a second entitlement unit number that is carried in the payload of the ECM. However, Wasilewski discloses Entitlement Management Messages (EMMs) and that there could be multiple EMMs in a service stream (Fig 3B). EMMs contain an identifier which reads on an entitlement unit number as these identifiers are used to identify which decoders are entitled/authorized to receive and decode a particular service. The examiner asserts that the applicant's choice of packaging entitlement unit numbers in the ECM packets instead of a separate EMM packet is an arbitrary choice and does not patentably differentiate from Wasilewski's choice of sending entitlement unit numbers in EMMs instead. The examiner also notes that Wasilewski discloses that the MPEG-2 Systems standard does not specify the format of an ECM (col 9, lines 54-56), therefore it would have been just as obvious to include entitlement unit numbers (including a second entitlement unit number) in the payload of the ECM instead of in EMMs.

Further, Wasilewski discloses that control words are used to encrypt and decrypt transmitted streams (col 3, lines 46-55). Wasilewski discloses that the MPEG-2 Systems Committee decided that encryption related information, i.e. control words, are carried in ECMs (col 4, lines 7-12). Wasilewski also discloses displaying the service (col 15, lines 6-14). In light of Wasilewski's teachings, it would have been obvious to one of ordinary skill in the art to further modify the combination method of Bestler and

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Wasilewski according to the limitations recited in claim 66. One of ordinary skill would have been motivated to do so for the same reasons given in claim 65.

**Claim 68:**

Bestler further discloses wherein the second service is a predetermined service (col 8, line 60-col 9, line 4).

**Claim 69:**

Bestler further discloses wherein the predetermined service is a barker service (col 8, line 60-col 9, line 4).

**Claim 70:**

Bestler further discloses wherein the second service is a message (col 9, lines 18-22).

**Claim 71:**

Bestler further discloses wherein the message instructs the user to select another service (col 9, lines 53-60).

Claims 75 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski (US 5,420,866) in view of Chaney (US 6,035,037).

**Claim 75:**

Wasilewski discloses wherein the terminal is authorized for a first group of services, the first group of services having a first entitlement unit number (col 14, line 62-col 15, line 6). Wasilewski does not disclose further including the step of providing the

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terminal with a second authorized entitlement unit number, wherein the second authorized entitlement unit number is associated with a second group of services.

However, Chaney discloses EMMs being stored in smart cards (col 1, lines 49-60). Each EMM stored in the smart card entitles the owner of the smart card access to a service with an EMM that matches the one stored in the smart card. Further, Chaney discloses that at the time the applicant's invention was made, decoders/terminals with multiple smart cards were known, each smart card dedicated to a specific broadcaster (col 2, lines 60-67). This means that each smart card has a different EMM stored in it.

In light of these teachings by Chaney, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify Wasilewski's method according to the limitations recited in claim 75. One of ordinary skill would have been motivated to do so as Chaney discloses that his teachings would allow for simultaneous processing for multiple pay TV sources for purposes such as picture-in-picture or picture-outside-picture (col 2, lines 52-55). Note that different pay sources often have different EMMs.

**Claim 76:**

Wasilewski does not disclose wherein the given service is associated with both the first authorized entitlement unit number and the second authorized entitlement unit number. However, as mentioned in claim 75, terminals/decoders with multiple smart cards are known (col 1, lines 49-60). Such decoders are necessary to process multiple pay TV sources (col 2, lines 60-67), which allows for picture-in-picture (PIP) or picture-outside-picture (POP). The examiner asserts that the PIP and POP which results is a

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service which is associated with the first authorized entitlement unit number and the second authorized entitlement unit number. Therefore, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to further modify Wasilewski and Chaney's combination method according to the limitation recited in claim 76. One of ordinary skill would have been motivated to do so for the same reasons given in claim 75.

Claims 77-78 and 82-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski (US 5,420,866).

**Claim 77:**

Wasilewski discloses further including the steps of providing the services in a stream of packets; multiplexing entitlement control messages for a given service into the stream of packets (Fig 3B).

Wasilewski does not disclose wherein each entitlement control message include a second entitlement unit number, wherein the terminal confirms that the terminal is authorized to access the given service using the second entitlement unit number and the authorized entitlement unit number. However, Wasilewski discloses that the MPEG-2 Systems standard does not specify the format of an ECM (col 9, lines 54-56). Note in Fig 3B there are multiple EMMs which reads on entitlement unit numbers. The examiner asserts that the choice of how to send the entitlement unit numbers to a given terminal is an arbitrary choice. It would be obvious to one of ordinary skill to send the second entitlement unit number either in an entitlement control message or as a



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separate EMM. As long as the terminal obtains the entitlement unit number, it is able to compare the received number with the stored authorized entitlement unit number to see if the terminal is authorized to access the given service. Such a comparison is done by Wasilewski (col 14, line 62-col 15, line 6). Thus, claim 77 does not patentably differentiate from Wasilewski's method.

**Claim 78:**

Wasilewski does not disclose wherein the entitlement control messages include a plurality of entitlement unit numbers. However, Wasilewski discloses a plurality of entitlement unit number, i.e. EMMs (Fig 3B). The choice of how to send the entitlement unit numbers is an arbitrary choice and applicant's choice of sending the numbers via entitlement control messages is obvious and does not patentably differentiate from Wasilewski's method of sending them as individual EMM packets or as an EMM stream.

**Claim 82:**

Wasilewski does not disclose wherein the memory is included in a secure microprocessor having input/output terminals, and the secure microprocessor is characterized by the memory being unobservable at the input/output terminal. However, Chaney discloses the memory is included in a secure microprocessor having input/output terminals (Fig 4 and col 6, lines 56-59) and the secure microprocessor is characterized by the memory being unobservable at the input/output terminal (col 9, lines 1-4). It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to modify Wasilewski's method with Chaney's teachings according to the limitations recited in claim 82. One of ordinary skill would have been

motivated to do so as Chaney discloses it would ensure that unauthorized users do not access entitlement data (col 9, lines 1-4).

**Claim 83:**

Wasilewski discloses responsive to determining that the terminal is authorized to access the given service, further including the steps of:

1. Receiving a stream of packets, the streams of packets including packets comprising the given service and entitlement control messages (ECMs) for the given service (Fig 6 and col 13, lines 41-43, and col 14, lines 5-9).
2. Responsive to determining that the terminal is authorized to access the given service, further including the steps of:
  - a. Parsing ECMs for the given service from the stream of packets (col 14, lines 5-9).
  - b. Confirming that the terminal is authorized to access the given service based up the entitlement unit number and the authorized entitlement unit number (col 14, line 58-col 15, line 6).
  - c. Responsive to confirming that the terminal is authorized further including the steps of:
    - i. Recovering control words from the received ECMs (col 9, lines 41-47 and col 15, lines 6-14).
    - ii. Decrypting the given service using the recovered control words (col 9, lines 41-47 and col 15, lines 6-14).
    - iii. Displaying the given service (col 15, lines 6-14).

Wasilewski does not disclose wherein each ECM includes an entitlement unit number that is carried in the payload of the ECM. However, Wasilewski discloses EMMs which reads on entitlement unit numbers (Fig 3B). The choice of how to send the entitlement unit numbers is an arbitrary choice and applicant's choice of sending the numbers via entitlement control messages is obvious and does not patentably differentiate from Wasilewski's method of sending them as individual EMM packets or as an EMM stream.

**Claim 84:**

Wasilewski does not disclose the entitlement control message includes a plurality of entitlement unit numbers, and the step of confirming that the terminal is authorized to access the given service further includes the step of comparing each of the entitlement unit numbers with the authorized entitlement unit number until one of the entitlement unit numbers matches the authorized entitlement unit number, wherein the terminal is authorized to access the given service if there is a match.

However, Wasilewski discloses a plurality of entitlement unit number, i.e. EMMs (Fig 3B). The choice of how to send the entitlement unit numbers is an arbitrary choice and applicant's choice of sending the numbers via entitlement control messages is obvious and does not patentably differentiate from Wasilewski's method of sending them as individual EMM packets or as an EMM stream. Further, given that there are multiple entitlement unit numbers in the form of EMMs in Wasilewski's method, it is obvious that to confirm that the terminal is authorized to access the given service, each

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of the entitlement unit numbers (i.e. EMMs) must be compared with the authorized entitlement unit number to determine if any of them match. It is also obvious that if there is a match that the terminal is authorized to access the given service. Therefore, in light of the above disclosure, the limitations as recited in claim 84 does not patentably differentiate from Wasilewski's method and teachings.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ponnoreay Pich whose telephone number is 571-272-7962. The examiner can normally be reached on 9:00am-4:30pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PP

Ponnoreay Pich  
Examiner  
Art Unit 2135



**KIM VU**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**